



09-25-02

GEI-088

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
GUTIERREZ et al  
Serial No.: 09/914,823  
Filed: August 31, 2001  
For: USE OF...COMPOSITION

:  
: A. Berman  
:  
: Group: 1617  
:

600 Third Avenue  
New York N.Y. 10016  
September 24, 2002

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SEP 27 2002

TECH CENTER 1600/2900

RESPONSE

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the notice of non-compliant amendment dated September 17, 2002, Applicants believe that the notice was issued in error.

The notice required a clean version of the amended claims and clean version was submitted in the amendment of September 3, 2002. The only thing presented in the clean copy of microorganism Padina pavonica which is required in order to indicate that it is a microorganism. This is consistent with the normal practice and therefore, the copy filed was clean. A copy of the response is submitted herewith. Therefore, it is requested that the amendment be transferred to the Examiner for action.

Respectfully submitted,  
Bierman, Muserlian and Lucas

By:

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CAM:ds  
Enclosures

96845  
2002  
EV 068843  
Sept 24  
Date of Receipt  
Date of Filing  
Date of Payment  
Date of Transfer  
Date of Assignment  
Date of Invention  
Date of Priority  
Date of Publication  
Date of Grant  
Date of Appeal  
Date of Reexamination  
Date of Opposition  
Date of Trial  
Date of Appeal  
Date of Reexamination  
Date of Opposition  
Date of Trial

1617  
Sept 24 2002  
D. Muserlian